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09400HB2330ham001

LRB094 08411 LJB 43018 a

1 AMENDMENT TO HOUSE BILL 2330

2 AMENDMENT NO. _____. Amend House Bill 2330 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 changing Section 155.29 as follows:

6 (215 ILCS 5/155.29) (from Ch. 73, par. 767.29)

7 Sec. 155.29. (a) Purpose. The ~~The~~ purpose of this Section
8 is to regulate the use of aftermarket crash parts by requiring
9 disclosure when any use of an aftermarket non-original
10 equipment manufacturer's crash part is proposed and by
11 requiring that the manufacturers of such aftermarket crash
12 parts be identified.

13 (b) Definitions. As used in this Section the following
14 terms have the following meanings:

15 "Aftermarket crash part" means a replacement for any of the
16 nonmechanical sheet metal or plastic parts that generally
17 constitute the exterior of a motor vehicle, including inner and
18 outer panels.

19 "Non-original equipment manufacturer (Non-OEM) aftermarket
20 crash part" means an aftermarket crash part not made for or by
21 the manufacturer of the motor vehicle.

22 "Repair facility" means any motor vehicle dealer, garage,
23 body shop, or other commercial entity that undertakes the
24 repair or replacement of those parts that generally constitute

1 the exterior of a motor vehicle.

2 "Installer" means an individual who actually does the work
3 of replacing or repairing parts of a motor vehicle.

4 (c) Identification. Any aftermarket crash part supplied by
5 a non-original equipment manufacturer for use in this State
6 after the effective date of this Act shall have affixed thereto
7 or inscribed thereon the logo or name of its manufacturer. The
8 manufacturer's logo or name shall be visible after installation
9 whenever practicable.

10 (d) Disclosure. No insurer shall specify the use of non-OEM
11 aftermarket crash parts in the repair of an insured's motor
12 vehicle, nor shall any repair facility or installer use non-OEM
13 aftermarket crash parts to repair a vehicle unless the customer
14 is advised of that fact in writing. In all instances where an
15 insurer intends that non-OEM aftermarket crash parts be used in
16 the repair of a motor vehicle, the insurer shall provide the
17 customer with the following information:

18 (1) a written estimate that clearly identifies each
19 non-OEM aftermarket crash part; and

20 (2) a disclosure settlement incorporated into or
21 attached to the estimate that reads as follows: "This
22 estimate has been prepared based on the use of crash parts
23 supplied by a source other than the manufacturer of your
24 motor vehicle. Warranties applicable to these replacement
25 parts are provided by the manufacturer or distributor of
26 these parts rather than the manufacturer of your vehicle."

27 (Source: P.A. 86-1234; 86-1475.)".